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FISCAL IMPACT STATEMENT

LS 7559

BILL NUMBER: HB 1638

NOTE PREPARED: Jan 9, 2009

BILL AMENDED:

SUBJECT: Training of County Government Officials.

FIRST AUTHOR: Rep. Clements

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: *County Government Officials Training Board:* The bill establishes the County Government Officials Training Board (Board) consisting of state and county officials. It provides that the county officials on the board are appointed by the Governor.

The bill requires the board to adopt rules establishing standards and requirements for the training and minimum requirements for continuing education instructors. The bill also requires the board to provide a county official with a certificate or other evidence that the official has successfully completed the training requirements.

Training Requirement: It requires a county auditor, county clerk, member of a county council, member of a board of county commissioners, county recorder, county surveyor, and county treasurer to successfully complete:

- (1) a required training course not later than six months after the county official takes office;
- and
- (2) an annual continuing education course.

Fees: The bill establishes a \$100 fee for attending the required training course and a \$25 fee for a continuing education course.

County Officials Training and Continuing Education Fund: The bill also establishes the county officials training and continuing education fund to pay for approved training courses and other expenses.

Certification: The bill requires the county official to provide the certificate to the county commissioners, or

the city-county council (in the case of a county having a consolidated city). It requires the county commissioners or city-county council to order the county auditor to withhold the paycheck of a county official until the certificate is provided unless the county commissioners adopt or the city-county council adopts a resolution finding that:

- (1) the failure of the county official to complete the training is the result of unusual circumstances;
- (2) the county official is making reasonable progress toward completing the training; and
- (3) in light of the circumstances, withholding the paycheck of the county official would be unjust.

Effective Date: July 1, 2009.

Explanation of State Expenditures: *Summary* - The bill requires a person participating in a course to pay fees for training and continuing education into a state fund. The fund will provide training and continuing education for local government officials and the expenses of the board that will oversee the training program. If counties decide to pay the fee for their officials, costs could increase for that county. There are no other direct costs under the bill, but to the extent that state and local officials may receive annual compensation while serving on the board or attending courses, indirect costs may be incurred for these added responsibilities.

Background Information-

County Government Officials Training Board: The County Government Officials Training Board is to consist of 13 members appointed by the Governor and is to include the State Auditor, the State Treasurer, the State Examiner, the Secretary of State, and the Commissioner of the Department of Local Government Finance, or their designees; a county auditor, a circuit court clerk, a member of a county council, a member of a board of county commissioners, a county recorder, a county surveyor, and a county treasurer; and the executive director of the Association of Indiana Counties.

The Board will meet at least three times a year to establish standards for required training and continuing education classes. The Board will also issue certificates of completion. Members of the Board are entitled to traveling expense reimbursement.

The Board will also administer the County Officials Training and Continuing Education Fund.

County Officials Training and Continuing Education Course Requirements: The training course requires 40 hours of instruction covering government ethics, access to public records and meetings, county budget and finance, human resources and leadership, and topics of special interest to each office.

Continuing education courses must include eight hours of instruction and, in addition to the topics required for training above, may include recent developments in legislation or administrative rules. Other activities may be approved by the Board to satisfy the continuing education requirement including attending meetings of the State Board of Accounts or the Election Division of the Secretary of State, or a workshop organized by associations representing county officials or the Association of Indiana Counties.

Explanation of State Revenues: *County Officials Training and Continuing Education Fund:* The County Officials Training and Continuing Education Fund will receive a fee of \$100 for each person attending

training and \$25 for each person attending a continuing education course. The Fund will be administered by the Board and will consist of gifts, grants, and the fees deposited. The Fund will not revert to the state General Fund at the end of the year. It is to be used to obtain training equipment and supplies, support training and continuing education programs pay travel, conference, and other expenses of the Board, and other purposes determined necessary by the Board.

Background Information-

Estimated Fee Revenue: There are 1,401 county officials who would require training under the bill.

[The actual number of people taking training or continuing education may increase because other county employees may take these courses, turnover in officeholders may occur, or may decrease because continuing education courses outside of those offered by the Board may satisfy the requirements of the chapter.]

Assuming that the training and the continuing education courses are offered in a single session for the year, for training courses, with a fee of \$100, the total revenue would be \$140,100 and for continuing education, with a fee of \$25, the total revenue would be \$35,025. Assuming that each official takes one training course and one continuing education course, revenue to the Fund every two years would be \$175,125.

Explanation of Local Expenditures: *Training and Continuing Education Fee:* The bill does not require local units of government to pay the fee, but rather requires the person to pay.

If county governments decided to pay the cost, the following table shows the estimated costs each county would pay.

County	Number of Officials	\$100 Training Fee	\$25 Continuing Education Fee	Total
Most Counties	15	\$1,500	\$375	\$1,875
Marion*	34	\$3,400	\$850	\$4,250
St. Joseph**	17	\$1,700	\$425	\$2,125
*Marion County has 29 members on the city-county council. Its auditor, treasurer, and assessor make up its board of commissioners, not requiring additional official training. ** St. Joseph has 9 county council members.				

Explanation of Local Revenues:

State Agencies Affected: State Auditor; State Treasurer; State Examiner; Secretary of State; Commissioner of the Department of Local Government Finance.

Local Agencies Affected: County officials.

Information Sources:

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